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MINUTES OF THE AYUNTAMIENTO OF SAN FELIPE
DE AUSTIN, 1828-1832

III

EDITED BY EUGENE C. BARKER

[p. 42]²² A regular meeting of the Ayuntamiento took place on Monday the 1st day of February A. D. 1830. Present, Thomas Barnett President, Walter C. White and Jessie Cartright Rigadores, William Pettus Procurador, Samuel C. Hiram and John Huff comissarios and Isaac Vandoin Syndico.

On motion, Thomas G. Gazley was appointed clerk of the Ayuntamiento to discharge such duties as may be required of him by that body until a secretary acquainted with the Castilian language can be procured and to use his name as secretary Pro Tem, during that time.

A Petition was presented praying for a right to keep a public Ferry, signed by Nathaniel Lynch.

Shoeball [Shubael] Marsh appeared and was sworn in the office of Syndico for the district of Victoria.

On motion of William Pettus—Ordered that Nathaniel Lynch be authorized and empowered to keep a public Ferry to cross the San Jacinto at the mouth of Buffalo Bayo to continue one year from the first day of January 1830 with such privileges as the law allows him and to have the exclusive right thereof.

Ordered that any hog or hogs running at large without a mark over one year old, shall be considered the property of any person who may find them in this Jurisdiction and any person may seize or kill such hog or hogs with impunity, and further that this order shall be published in the Texas Gazette for 4 week successively.

[p. 43] On petition of William Morton Ordered that a twelve acre lott be granted to him adjoining the town of Austin upon condition that the said Morton makes a selection of one unap-

²²From this point copy is from the original English.

propriated and gives information of such selection to the Ayuntamiento within one month from this time and upon the further condition that the said Morton established a brick yard on said lott by the first day of August next

Ordered that a public sale shall be made of vacant town and out lotts on the first Saturday in March next in the town of Austin upon a credit of Six months. The purchaser will be bound if it be a town lott to build a house upon it and if an out or 12 acre lott to have it enclosed with a fence within one year from the time of purchase, *to be published 4 weeks.*

Ordered that the clerk makes advertisements for publication in due form, observing the substance of the order or decree of the Ayuntamiento.

On petition of G. B. Cotton ordered that the sum of fifty dollars which he owes for two town lotts be rendered and he be discharged and acquitted from paying the same upon condition that he publishes all orders, decrees, advertisements, etc., etc., of the Ayuntamiento at any time when required, for the term of one year, from the first day of January 1830, and that a title to said lotts be made to Cotton and Williamson.

[p. 44] On petition of William Robinson Ordered that a road be granted agreeable thereto, and James Ross, Joseph Duty, and William Robinson are hereby appointed supervisors to view lay out and report said rout to the Ayuntamiento on the first Monday of March next.

On motion of Samuel C. Hiram Ordered that a road be laid out upon the most eligible rout from the town of Austin to Harrisburg and that William Pettus Samuel C. Hiram Randle Jones Martin Allen and William Vince be appointed supervisors to view lay out and report said road to the Ayuntamiento on the first Monday in April next.

Ordered that a road by the most suitable rout be laid out from the town of Harrisburg to the house of John Jones on the Saja Cinto and John Jones, Humphrey Jackson and Robert Cartright be appointed supervisors to view lay out and report said Road to the Ayuntamiento on the first Monday in April next.

On motion of Walter C. White Ordered that a road be laid out by the most suitable rout from the town of Austin to the town

of Marion and that Martin Varner, Joseph Kykendal and Jesse Tompson be appointed supervisors to view lay out and report said road to the Ayuntamiento on the 1st Monday in April next.

Ordered that a road by the most suitable rout be laid out from the house of William Morton to the town of Harrisburg and [p. 45] that John Fitzgerald Elijah Allson and William Morton be appointed supervisors to view layout and report said road to the Ayuntamiento on the first Monday in April next.

Ordered that the President of the Ayuntamiento be and he is hereby required to compel all and every person or persons who have at this time or have had any effects in credits, debts due or money in their possession which belongs to the Ayuntamiento of this municipality to surrender the same to him or give a satisfactory account thereof and also to call upon any person or persons he may deem proper and require them to furnish information touching the financial concerns of this municipality and the said President is further required to report the same fully to the Ayuntamiento at their next meeting on the first Monday in March next.

Ordered that the Ayuntamiento adjourned till tomorrow 9 o'clock A. M.

February 2d 9 o'clock A. M. The Ayuntamiento met pursuant to adjournment.

On petition of N. Dillard Ordered that a road be laid out on the most elligable rout from the town of Austin to the La Bacca in the direction to Laberde and that Nich. Dillard, James Kerr and Thomas Cox be appointed supervisors to view lay out and report said road to the Ayuntamiento on the first Monday in April next.

A demand was presented by John C. Reed for ferreage of troops, etc., etc., which demand after being duly considered was rejected.

[p. 46] Ordered that Benjamin Lindsey, Henry W. Johnson, George Teel, Isaac Foster, Kinchew Holloman [Kinch Holli-man], James A. E. Phelps and those who are interested in labors adjoining to the upper part of the land of Elisabeth Tumbleson decd on the west side of the Colorado river (except Jesse Burnham) be notified by a publication in the Gazette for 4 weeks to

appear in person or by agent before the Ayuntamiento of the jurisdiction of Austin at their next session on the first Monday in March 1830 to give legal information to the said Ayuntamiento concerning the improvements which have been made upon the several tracts of land heretofore granted to them by government in order to enable the Ayuntamiento to judge how far the colonization law has been complied with for the purpose of representing to the government the situation of the several tracts of land aforesaid. And it is further ordered that the petitioners for the above named tracts of land be notified to appear at the same time and place to make proof of their pretensions, etc.

The Ayuntamiento then adjourned til the next regular meeting.

Thos Barnett Prest

Thos. J. Gazley Secrty Pro Tem

[p. 47] A meeting of the Ayuntamiento took place on Monday the 1st day of March 1830. Present Hon. Thomas Barnett President, H. H. League 1st Rigadore, Jesse Cartright 2 Rigadore and William Pettus Syndico Procurador

The Ayuntamiento examined the petition of W. D. C. Hall relative to a league of land heretofore granted to J. A. E. Phelps and after investing [sic] the subject report that the said league of land in said petition mentioned has an improvement of about 30 acres upon it which has been left with an agent and working hands and that the said Phelps has complied with every requisition of the law except his removal to this colony.

The petition of Robert Peebles was examined relative to a league of land heretofore granted to K. Haliman [Holliman] and after investigating the subject the Ayto. report that the statements contained in the report of the empresario accompanying the petition are substantially correct.

The Petition of Nestor Clay was examined relative to a league of land Granted to George Tiel and after investigating the subject the Ayuntamiento report that the land was granted to the said Tiel and that Tiel made some improvement on the land and then alienated the land to one Michael Turner and the said Turner is indebted to Stephen Richardson the amount for which the land sold 4 or 500 dollars and the said Richardson comes and objects to a grant of the said land being made to the [p. 48] said Clay and gives information that he is a petitioner for the

same. And they further report that Tiel is yet a citizen of this government and they believe that Turner is a resident within the same.

The Petition of Thomas H. Borden relative to a tract of land granted to Henry W. Johnson was examined and the Ayuntamiento report that the said land has never been cultivated nor improved and further that the said Johnson is not a resident of this colony.

The petition of Francis F. Wells relative to a league of land granted to Benjamin Lindsey was examined and after investigating the subject the Ayto. report that the said Lindsey lived in this colony between 4 and 6 months, that he came in June with a part of his family and moved away in the fall of the same year 1826 and then moved to Ayish Bayo where he continues to reside.

The petition of Henry W. Munson relative to a league of land granted to Isaac Foster was examined and the Ayto. report that Isaac Foster has cultivated the land, has lived in the country ever since the land was granted and recently died in this colony leaving many relatives.

The petition of W. D. Dewees relative to certain Labors on the west side of the Colorado was examined and the Ayto. report that the Labors are vacant and have never been cultivated.

[p. 49] The salary to be paid to Thos. J. Gazley for discharging the duties mentioned in the order of his appointment is established by the Ayto. to be at the rate of three hundred dollars pr. annum to commence from the first day of February A. D. 1830.

The Aytò. adjourned till tomorrow morning 10 o'clock.

Tuesday March 2d 10 o'clock a. m. The Ayto. met pursuant to adjournment.

On motion of H. H. League Ordered that the president be authorized to procure a piece of furniture suitable for keeping and preserving the records and papers of the judiciary and also for the safe keeping of all papers and documents of the municipality and pay for the same out of any funds not otherwise appropriated.

Ordered that the keeper of the ferry shall be bound to cross any person who may apply between sunrise and 10 o'clock at night. If any be crossed after dark the ferryman will not be

liable for accidents and he will be entitled to receive double ferryage. After 10 o'clock at night the ferryman is not bound to cross the river except in case of a person in search of medical aid. To be published 3 weeks

[p. 50] Ordered that the purchasers of lotts be notified to appear on the 15th day of this month (March) at the Alcaldá's office and execute there notes to the Alcalde agreeable to the terms of sale. For publication

On motion of H. H. League Ordered that the Alcaldá be authorized to procure a translation of such acts of the legislature as are in force and relative to judicial proceedings in this colony and cause the same to be published and that the Alcaldá employ a trust-worthy discreet and confidential person for a translator.

On motion of H. H. League Ordered that the Ayto. report to government that William Rabb has been a good citizen of Austin's colony and has resided in it since the year 1823 and the said Rabb became a grantee of lands and has discharged the duties of a citizen settler in all respects agreeable to the colonization law as far as possible settled upon his land and was three times driven off by hostile Indians and the settlement broke up. The lands are situated on the east side of the Colorado river about 3 miles above the Laberdee [La Bahía] road. And after investigating and fully considering the case the Ayto. further report that the said Rabb ought to have the titles to his said lands confirmed as set forth in his deed.

[p. 51] On motion of William Pettus—Ordered that the president having been unable to procure satisfactory information in compliance to an order made at the last meeting, that the further time of one month be given for that purpose. And the Ayto. adj'd til the next meeting

Thos. Barnett Prest

Thos. J. Gazley Sec Pro Tem

Agreeable to an Order of the Ayuntamiento and a Notice in the Gazette a Sale of Lotts took place on Saturday the 6th day of March 1830—

The lotts were sold as follows

Out lott No. 23 was sold to Joshua Parker for.....\$ 30.00
Out lott No. 44 was sold to Robert Peebles for..... 150.00

Town lotts Nos. 137 and 138 to Saml H Harden 15. each.	30.00
Out lotts Nos. 40 & 39 to C. H. Vanderveer—30. each...	60.00
Out lott No. 37 to William McFarlan.....	30.00
Town lott No 121 to Patric Green.....	15.00
Town lotts Nos. 46 & 47 to Joseph White \$15.00 each...	30.00
Town lott 127 to Seth Ingram.....	15.00
Out lott No. 36 to Ira Ingram.....	30.00
Town lott No 136 to Patric Dolen.....	15.00
Town lott No 189 to Robert Matthews.....	15.00
Town lotts Nos. 190—191 & 192 to Thos. J. Gazley 15	
each	45.00

Whole Amount of the Sale.....\$465.00

Thos. Barnett

Alcalda

[p. 52] The Ayuntamiento met on Monday the 12th day of April 1830. Present Hon Thomas Barnet President H. H. League 1st Rigador Jesse Cartright 2d Rigador and William Pettus Syndaco Procudor.

On motion of H. H. League—Ordered that in consequence of the death of Abraham H. Phillips one of the members of the Ayto. That the president be required to notify Churchil Fulcher the next constitutional member to appear at the next meeting and take his seat as Rigador.

On petition of Nestor Clay—Ordered that the said Clay and Stephen Richardson be permitted to appear before the Ayto. at their next session and give testimony etc. relative to a league of land heretofore granted to one George Tiel.

On petition of Martin Allen—Ordered that a right to keep a ferry across Buffalo Bayo opposite the town of Harrisburg be granted to the said Allen with the same rates of ferriage that are allowed for crossing the river Brasos at the town of Austin.

On motion of Thomas Barnett—Ordered that a right to keep a ferry across the Brasos river be granted to Jno. Robinson with the same rates that are allowed for crossing the river Brasos at the town of Austin.

On motion of William Pettus—Ordered that all purchasers of lots be notified to appear before the [p. 53] alcalda on or before

the first day of May next and give their obligations agreeable to the terms of sale under penalty of having their lots forfeited and sold to the highest bidder at their own loss and also that all persons indebted to the Municipality be notified to appear and settle with the Alcalde within the same time—for publication.

On petition of Joseph White and Thos. J. Gazley—Ordered that the title to Town lots Numbered on the plat of the town 133-134 and 135 be made to the said Thomas J. Gazley by the authority on the part of government as if the said Gazley had been the purchaser at public sale which took place in December last and that the said Gazley from this date be recognized as the purchaser of said lots from the Municipal authority.

Ordered that a public sale be made of vacant town and out lots on Saturday the 15th of May upon a credit of six months the purchasers giving bond and security conditioned to pay etc., etc., if it be a town lot to build a house upon it or if it be an out or 12 acre lot to have it enclosed with a fence or a house built upon it within one year from the purchase. A[n]y number of lots purchased by one person lying in a block will be considered sufficiently improved if the purchaser build one house upon it and enclose it by a fence within one year (to be published)

[p. 54] Ordered that William Morton, Joshua Fletcher and Thomas Davis be appointed a committee to direct and superintend laying off out lots adjoining the town of Austin

The Ayto. adjourned til to-morrow 9 o'clock A. M.

Tuesday April 13—9 o'clock A. M. The Ayto. met pursuant to adjournment.

On motion of Thomas Barnett—Ordered that all investigations relative to lands be suspended until the next meeting.

On motion of H. H. League—Ordered that the same committee appointed to lay off out lots be required to lay off eight 50 acre lots on lands clear of Timber (Prarie) 4 of which are to be laid off at the lower boundary line of the same league and the other 4 at the lower boundary line of the same league and make report to the Ayto. at their next meeting.

On motion of William Pettus—Ordered that purchasers of 50 acre lots shall enclose $\frac{1}{4}$ of the lot within one year.

On application—Ordered that Thos. J. Gazley be admitted to

the practice of Medicine, Surgery and Midwifery within this jurisdiction.

The Ayto. adjourned til the next meeting.

Thos. Barnett Prest.

Thos. J. Gazley Secy Pro Tem

[p. 55] Monday 3 May 1830—The Ayuntamiento met.—Present Thomas Barnett Alcalde President, H. H. League 1st Regidor, Jesse H. Cartwright 2nd Regidor, and Wm. Pettus Sindico Procurador.

Churchill Fulcher, constitutional successor of the late 4th Regidor Abraham H. Phillips decd took the oath prescribed by law and assumed his seat as one of this body.

It was ordered, H. H. League 1st Regidor dissenting, that Mr. J. G. Holthans [Holtham] be appointed and he is hereby appointed Secretary of this Ayuntamiento for the remainder of the present year, and that his Salary be fixed at the rate of five hundred Dollars per annum, payable out of the municipal fund quarterly.

It was ordered—that all proceedings heretofore had by this Ayuntamiento relative to land claims referred to them by the Commissioners and Empresario of Austin's Colonies, and all orders and resolutions made by this body, concerning the same be and are hereby declared null and of no effect.

On motion of H. H. League, 1st Regidor, the following Resolution was adopted—"The Ayuntamiento of this Municipality having been called upon by the Empresario and Commissioners of Austin's colony to ascertain and report how far certain individuals had complied with their duty as settlers in said Colony, according to the requisitions of the Colonization Laws, and knowing, as each member of this body does know, the great privations hardships and sufferings that the Settlers have been compelled to [p. 56] encounter in settling an uncultivated wilderness and that from the beginning of the Settlement the Citizens have been compelled to perform many campaigns in order to ward off the depredations of hostile Indians, by which they have been compelled to neglect the improvement and cultivation of their lands, and that many families have been broken up and many lives lost among those who have attempted to improve their lands on the frontiers, by hostile Indians, but the same individuals have been

industriously engaged in cultivating land and raising stock for the support of their families in other parts of the colony, where it was more safe for them to do so, and because the greater part of the citizens are poor, and for the most part have large families to support, and nothing for a dependence to enable them to do so, but their lands, we are of opinion, that all citizens that have removed to Texas, and taken the oath of allegiance to the Mexican Government, and supported the laws and constitution of the same, and have remained in the Government until this time, and have discharged their duty as good and faithful citizens, ought to have the titles of their lands confirmed, whereby they will be enabled to support their families, and discharge all duties to the government which the law makes it their duty to perform, with ease, and in order that the Government may be informed of the situation of the Citizens of this colony.

[p. 57] "It is ordered," that the President of this Ayunto. call upon the Empresario, Stephen F. Austin, for a list of the names of all citizens settled in his colony, which shall be laid before this Ayunto at their next regular meeting in order that the body may ascertain all such as have discharged their duty in manner and form as above stated." And it was further ordered that this Resolution be published in the Texas Gazette.

The Ayunto then adjourned until 2 P. M.

At 2 P. M. of the same day, the Ayunto met, according to adjournment—present as before mentioned.

It was ordered, that the valuation of the fifty acre out lots directed to be laid off near the town of Austin, by an order of this Ayunto at their last meeting, be paid at two Dollars each acre and that they shall not be sold for less than that price.

It was ordered—that all proprietors of town lots and out lots acquired under the administration of municipal affairs by Stephen F. Austin, under the obligation of improving or building on said lots or outlots within a certain period of time, be allowed a further delay of six months from the present date, for the completion of the said improvements or buildings. And that the ordinance be published four times in the Texas Gazette.

It was ordered—that the Sum of Sixty Dollars be paid to F. Stack out of any monies belonging to the municipality, not other-

wise appropriated, in payment of a Bureau made by him for this Ayunto.

[p. 53] It was ordered—that the Sum of nineteen Dollars and one bit be paid to the Postmaster of this town by the President, as a subscription for the “*Registro oficial del Gobierno*,” for the remainder of the present year, and that this ordinance be notified to the Chief of Department.

It was ordered—that from and after the first day of June next no stud horse shall be allowed to run at large, and that if the owner of any such horse shall fail to confine that same, on notice being given to him once by any individual, it shall be lawful for any person, assisted by two inhabitants of the colony, to alter the said horse, at the expense of the owner. Provided however that this ordinance shall not extend to such stud horses as are kept with *menadas*, nor to any stud horse when actually on the land belonging to the owner of said horse. And that from and after the tenth day of May, 1830—no *cavaillada*, *mulada*, nor *menada* shall be herded within five miles of the town of Austin for a longer period than twenty-four hours, under penalty of a fine of ten Dollars per day to be recovered from the owner of said *cavaillada*, *mulada* or *menada*.

The Ayuntamiento then adjourned until the next regular meeting.

Thos. Barnett

Prest.

[p. 60] In the town of San Felipe de Austin on the 15th May 1830. Agreeably to an order of the Ayuntamiento of this Municipality and a public notice given in the Texas Gazette, I Thos: Barnett constituc. Alcalde of said jurisdiction have sold the following town and out lots. viz:

Town Lots No. 4. 5. 6.	sold to Phineas Jones @ 15\$....\$ 45.—
“ “ “ 74	“ “ D. Gregg “15.—
“ “ “ 73	“ “ Charles Smith “25.—
Out lot. “ 31	“ “ Moses Roussea[u] “30.—
Town Lot “ 85. 114	“ “ Thos. J. Gazley..... “30 —
“ “ “ 76. 77	“ “ Dudley J. White @ \$19. “38 —
“ “ “ 142. 143. 144	“ “ Robert M. Williamson... “33 —
Out lot “ 53	“ “ Charles Smith 200 —

Out lot No. 54 sold to John Pettus.....	30—
“ “ “ 27 “ “ Lucas Lesassier	30—
“ “ “ 52 “ “ James B. Miller.....	110—
<hr/>	
Total sum.....	\$586.
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The conditions of the above sale were, that the purchasers will execute their notes with approved security for the payment of the amt of lots bought at the expiration of six months, and on the further condition of building a house on a town lot, and improving the outlot within one year under pain of forfeiting the lots for the non compliance of either of the above Conditions.

Thos. Barnett

Alcalde

[p. 61] Special meeting of the Ayunto. 26 May 1830—Present Thomas Barnett Alcalde, H. H. League, W. C. White, Regidores, and Wm. Pettus, Syndico Procurador—It was resolved, that whereas the necessary investigation being made according to Law No 37 Art 122—it appears that a certain Charles Smith is at this time leading a vagabond life in the Town of Austin, without any occupation, business or income, and whereas the said Smith is a general disturber of the public peace, and a gambler by profession, and whereas there is no regular Jail in this Municipality, Therefore it is ordered that the said Smith be put in close confinement, in irons until the next meeting of this Ayunto. and that the alcalde be authorized to have said Smith attended and fed by a proper person at the expense of the municipality, and to make report of his proceedings herein at the next meeting, and that all other proceedings relative to the said Smith be deferred until that time.

On report made by the Alcalde, and from evidence adduced before the body, it appearing that John Montgomery has shown disrespect to the civil authority and that said Montgomery is a vagabond within the meaning of the laws, a warrant was issued for his apprehension, and [p. 62] on his being brought before the Ayuntamiento, and the said charges being established, and it appearing that the said Montgomery is not a Citizen of this Municipality, it was resolved that the said Montgomery has laid himself

liable to the punishment denounced by law against vagrants, but that the execution of said punishment shall be suspended, on condition that the said Montgomery do immediately and without any delay depart from this Municipality.

The Ayuntamiento adjourned.

Thos. Barnett

Prest

[p. 63] Special meeting of the Ayuntamiento 4 June 1830—Present Thos Barnett, Alcalde, H. H. League and W. C. White, Regidors, and Wm. Pettus Syndico Procurador—Resolved, that a committee be appointed to draw up a subscription paper and present it to the Citizens of this Jurisdiction, to raise money for the purpose of erecting suitable buildings for the reception of the Priest appointed for this place, and to contract for and superintend the erection of said buildings, and to provide for the necessary expenses of the said Priest on his removal from Goliad to this place, and for his suitable reception on his arrival here. Resolved that Messrs. S. F. Austin, Walter C. White, James White-side and Luke Lesassier be appointed as said committee—

Resolved that said Committee be authorized to receive and appropriate such monies as may be subscribed.

Thos Barnett

Prest²³

In the town of San Felipe de Austin on the 5th day of July in the Year of 1830. The Ayuntamto met in regular meeting. Present: Thos. Barnett Presidt Walter C. White, H. H. League, Jesse Cartwright and Churchill Fulcher Regidors. William Pettus Sindico Procurador. The minutes of the last session were read and approved A letter was read from John G. Holtham, Secy of this Ayuntamto tendering the resignation of said office to this Corporation, which letter was read, considered, and the said resignation admitted.

On motion of the Sindico Procurador it was ordered that Mr. Saml M. Williams be called on and to request him to act as Secy pro tempore which order was carried into effect, and sd Saml M. Williams officiated as such secry.

²³Volume 1 of the manuscript ends here.

A letter was read from the Empresario Stephen F. Austin, of this Jurisdiction, giving reasons to the Ayuntamiento for not having complied with their request in furnishing this body with a list of the names of grantees in the first colony established by him, and also a list of the town lots disposed of by him and his account with the Municipality. The Ayuntamiento taking into consideration the arduous and continued duties of the Empresario admitted the apology, requesting the President to inform the said Empresario that on account of the situation of the [p. 2] Municipal funds he be urged to furnish that body with the statement of affairs between him and the municipality at their next regular meeting in August next furnishing the said Empresario in conformity with his request certified copies of the Resolutions of the Ayuntamiento on the subject.

A petition was read from James Hope praying the privilege of the use of the margen of the creek in front of his lots Nos 41 and 42 on the Creek above town, which margen is now open as a Street, and after maturely deliberating on the Expediency of granting the prayer of the petitioner, unanimously agreed that the prayer of the Petitioner be granted and sd Hope permitted to use the street in front of his lots by enclosing it within the bounds of his lots, and have the sole and free use of the same, until public utility and convenience may require the same to be opened for public uses.

A Petition was presented by H. H. League, 1st Regidor praying for the establishment of a ferry across the Colorado River at the place known as Jennyns Camp league, and praying to be authorized himself to establish the said ferry, and furnish him with the necessary instructions and regulations as in other cases of a similar nature in the Municipality. The Ayuntamiento ordered that the said League be permitted to establish the ferry there under the regulations which shall be furnished by the president of the Ayuntamiento and as it is probable that a road from Brazoria to La Baca in a rout from the former place to LaBahia and San Antonio will cross at some point [p. 3] on the league of land owned by said League, in which event the said ferry will be established at the crossing of said road.

In continuation the Ayuntamiento nominated and appointed James Kerr, John Brown, Thos. Cox, J. K. Long as Reviewers of the road from La Baca to the Colorado, and ordered that as H. H. League has proposed and is authorized to establish a ferry on the league

of land known as Jennings Camp league, the said reviewers be instructed to report whether or not inconvenience will arise by the road crossing the Colorado at the point designated and if so to what extent the inconvenience may be and if not authorize them to run the road across the river at that place for the convenience of the ferry, leaving the reviewers the designation of the most proper point for the crossing of the road on the LaBaca on the most direct route to Victoria and Goliad.

H. H. League 1st Regidor and Churchill Fulchear 4th Regidor having informed this body that a temporary absence from this place is necessary.—the former on account of ill health and the latter some important business to transact. The Ayuntamiento granted the absence required, notifying the said members that they will not permit an improper time to pass before they return to the discharge of their respective duties.

The Ayuntamiento after taking into consideration the nature of the debt incurred by the Ayunto. in the year 1828 and also duly considering the circumstances under which the debt was contracted, and the peculiar [p. 4] necessity of creating for the Municipality a credit with the citizens, and a moral certainty of the liquidation of their just claims with the Ayuntamiento as also the situation of the country have thought proper to order that the Amount of Four hundred and nine Dollars two bitts (\$409-2r) be and hereby is appropriated from out of any unappropriated funds of the Ayuntamiento for the discharge of the debt created by the Ayuntamiento in the year 1828 and the Presidt. of the Ayuntamiento is hereby authorized to liquidate any and all just claims presented by discounting them with and by debts due to the Ayuntamiento.

Ordered by the Ayuntamiento that whereas the 110th article of law No. 37 obliges this Body not to permit Physicians or Apothecaries to exercise their profession without a previous presentation of their diplomas and certificates from scientific authorities. And whereas it is a duty of the Ayuntamiento to watch over the good order and tranquility of the Municipality, as also to remove every thing calculated to injure or prejudice the health of the inhabitants of the Municipality and considering the formation of a board of Physicians as very important to produce regularity as well as security and confidence towards the exercising the profession of medicine and its branches in its various branches, the Ayuntamiento have thot

proper to nominate and appoint Robert Peebles, James B. Miller and F. F. Wells in conjunction with the Alcalde, and one of the Regidores and the Síndico Procurador, as a board of Physicians to examine the qualifications of those persons who may wish to [p. 5] practice, and issue to them the corresponding certificate of examination, to be presented to the Ayuntamiento provided the candidates be considered competent to practise, which certificate will serve as authority to the Ayuntamiento to issue the necessary license. Every person who shall practise or attempt to practise medicine or surgery in any of its various branches without having first underwent an examination as provided for in this order, and received permission so to do, shall be liable to a fine of fifty Dollars for every offence.

Ordered by the Ayuntamiento that no person shall be permitted to shoot, fire, or discharge any loaded gun, rifle, or pistol or any other description of fire arms, within 400 yards of the improved part of this town under a penalty of not less than five nor more than ten Dollars. Provided always this order shall not impide, the discharging the cannon or piece of ordnanse lying in this town, on days of solemn festival provided also that permission shall be obtained from the Alcalde or him who exercises his functions for the discharging of the cannon loaded with powder on public holydays.

Ordered by the Ayuntamiento that whereas the construction of sheads, chantees [shanties], cabins, or houses on the streets or public squares of the town of Austin is a public nuisance, the owner or owners, occupants, agents and proprietors of all such existing are hereby ordered to remove them within ten days from the publication of this order under the penalty of a fine from four bitts to fifty dollars, and besides the [p. 6] penalty of one Dollar pr. day for every day after the completion of the term aforesaid, that such building shall be found remaining on the square or squares, street or streets of this town, which fine and dayly tax shall be collected by the alcalde of this jurisdiction, and any person who shall after the publication of this order build or construct or erect any building on any of the square or squares of this town, shall be fined in a sum not exceeding fifty dollars, to be collected as afore said and applied to the benefit of public funds.

Ordered by the Ayuntamiento, that whereas a number of town

and outlots were sold on the 15th day of Dec. last, by the Ayuntamto which were to have been paid for on the 15th day of June last, and which payments were not made in conformity with the terms of sale,—Therefore notice is hereby given, to all persons, who on the day of the sale before mentioned purchased lots and have not complied with the terms of payment: that all such lots shall on the 31st day of this month, be exposed at public sale and sold for cash on account of and for the benefit of the former purchasers: and the Alcalde of this jurisdiction is hereby, authorized to collect by regular process from all such persons, any amount of difference, which may exist between the sale of the lots on the day appointed, and the amount at which they purchased the lots on the said 16th of December and all overplus, or excess which shall be paid to them. The sale to be conducted by the President of the Ayuntamto.

[p. 7] Ordered by the Ayuntamto that whereas the vice of habitual drunkardness is prejudicial to the good order, and tranquility of this municipality: Notice is hereby given that in future the laws on that subject will be rigidly enforced against all offenders, by the Ayuntamto of this jurisdiction.

Whereas by the 7th provisions of the 28th article of the Municipal ordinances²⁴ it is the duty of the Ayuntamto to appoint municipal surveyors and regulate their duties and emoluments, and whereas under that provision a surveyor has been appointed: Therefore it is hereby ordered and provided that the said surveyor in the discharge of his duties shall be governed by the following regulations: 1st It shall be the duty of the municipal surveyor or surveyors when more than one exists to repair to the place furnished and equipped to survey any trackt of land which may require surveying. 2d It shall be the duty of the surveyor to make permanent corners and blaze and mark the lines where they pass thro the timber, and when a line shall runn 3,000 varas, in the open prairie, two mounds of earth shall be raized on the same at a distance which shall be at least 1,500 yards apart *Provided always* that this duty shall not be requisite when permanent mounds of earth are raised for corners. All corners in the prairie shall be of mounds of earth at least 2 feet high and 3 feet across

²⁴See THE QUARTERLY, XXI, 317.

at the base. Every corner in or near the timber shall have at least two noted and marked bearing trees. [p. 8] 3d. The Surveyor shall furnish the individual who purchases the land with a plot of it, and also one other plot to be filed with the deed. 4. The surveyor shall receive for his services four dollars for each lineal Mexican mile of running that he does. 5th The surveyor shall be entitled to receive one Dollar from each individual from whom he shews and establishes the corners of each town lot.

Ordered by the Ayuntamiento that the account presented by George Robinson be admitted for seventeen Dollars and twenty five cents, and credit for that amount be allowed him.

Ordered that, the President of the Ayuntamto be authorized to settle and regulate the account of Thomas Gazley former Secy to this body.

Ordered: that whereas the office of comisario of Police for the district of Gonzales has been vacated by the death of Fielding Porter the former incumbent. An Election shall be held in the town of Gonzales on the 20th day of this month for the election of a Comisario of Police for the said district, to serve out the remaining of the term to the 1st of Jany. next and for which purpose Abraham McClure shall preside the Election, the Tellers and Secretaries being elected by the citizens in conformity to the Laws, returns of the said election shall be forwarded by the president of the election to the Alcalde of this Jurisdiction, and the said President is hereby authorized to administer to the individual who may be elected the proper oath on entering [p. 9] into the discharge of his duties. The President of the Ayunto shall issue the necessary instructions for the completion of said election.

Ordered: that the President be authorized to contract and make provision for the security of the criminal now under imprisonment, in order to provide for his secure keeping until the Laws and authorities decide on the case, pledging the faith of the Ayuntamto for the payment of the Expence of keeping the prisoner.

And there being nothing further before this Body at this time, the session was adjourned until the 19th of the present month at which time there will be an extraordinary session of the Ayuntamto—*Approved.*

Samuel M. Williams

Srio Into [Secretary pro tem.]

Thos. Barnett

Prest